

APR 17 2013

IN THE UNITED STATES DISTRICT COURT

Clerk, U.S. District Court
District Of Montana
Billings

FOR THE DISTRICT OF MONTANA

BILLINGS DIVISION

UNITED STATES OF AMERICA,

Cause No. CR 10-59-BLG-RFC

Plaintiff,

vs.

ORDER DENYING MOTION
TO REDUCE SENTENCE

KRISTI JUNE SMITH,

Defendant.

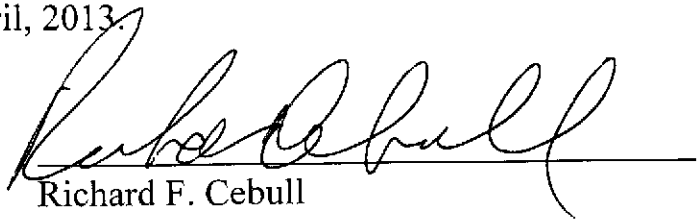
On April 12, 2013, the Court received a letter from Defendant Kristi June Smith. Smith is a federal prisoner proceeding pro se. On October 25, 2011, she was sentenced to a term of 133 months in prison. Judgment (doc. 52) at 2.

Once a sentence is imposed, a court's authority to alter it is limited. 18 U.S.C. § 3582(c). The Director of the Bureau of Prisons has not filed a motion to reduce Smith's sentence. *Id.* § 3582(c)(1)(A). She has not shown that the Sentencing Commission has lowered her guideline range. *Id.* § 3582(c)(2). More than fourteen days have passed since judgment was entered. Fed. R. Crim. P. 35(a). The United States has not filed a motion to reduce the sentence. Fed. R. Crim. P. 35(b). Smith

has not filed a motion to vacate, set aside, or correct the sentence under 28 U.S.C. § 2255. The Court is not aware of any other statutory authority that authorizes a reduction of Smith's sentence. 18 U.S.C. § 3582(c)(1)(B). The law does not permit the Court to do what she asks.

Accordingly, IT IS HEREBY ORDERED that Smith's motion to reduce her sentence (doc. 57) is DENIED.

DATED this 17 day of April, 2013.

A handwritten signature in black ink, appearing to read "Richard F. Cebull", written over a horizontal line.

Richard F. Cebull
United States District Court